

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHWESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JEDEDIAH STOUT,

Defendant.

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Case No. 12-2339DPR-01

MOTION FOR DETENTION

Comes now the United States of America, by and through its undersigned counsel, and hereby moves this Court to order the detention of Jedediah Stout, and states the following in support of the motion:

1. This motion is being made at the defendant's first appearance before a judicial officer. A complaint has been filed charging the defendant with attempted arson, in violation of 18 U.S.C. § 844(i).
2. Title 18, United States Code, Section 3142(f) provides, in pertinent part, that a hearing must be held by the appropriate judicial officer to determine whether any condition or combination of conditions "will reasonably assure the appearance of such person as required and the safety of any other person and the community" if the attorney for the Government moves for such a hearing and the case involves:

“(1)(A) a crime of violence;”

3. On October 3 and 4, 2013, an individual, later identified as the defendant, Jedediah Stout, attempted to set fire to the Planned Parenthood facility located in Joplin, Missouri.
4. On each occasion, the defendant threw a backpack containing accelerants onto the roof of the building in an attempt to set the building ablaze. The defendant failed on both occasions.
5. A fingerprint was located on the bottle containing the accelerants inside the backpack. The fingerprint was positively identified as that of the defendant.
6. The backpack and other items used to construct the incendiary device were determined to have been sold by Wal-Mart. Surveillance footage recovered from Wal-Mart depicts the defendant purchasing the backpack and other components of said device on October 1, 2013.
7. On October 18, 2013, the defendant was arrested by members of the Federal Bureau of Investigation.
8. After being advised of his *Miranda* rights, the defendant confessed to the attempting set fire to the Planned Parenthood facility on October 3 and 4, 2013.
9. The defendant also confessed to setting fires at the Islamic Society of Joplin's building on July 4, 2012 and on August 7, 2012. The building was completely destroyed in the August 7, 2012 blaze.
10. The United States submits that there is clear and convincing evidence that there are no conditions which the Court could place on the defendant's release which would reasonably assure the defendant's appearance in Court and the safety of the community. See 18 U.S.C. § 3142(g): (1) nature and circumstances of the

offense; (2) weight of the evidence; (3)(A) the defendant's character, physical and mental condition, family ties, employment, financial resources, length of residence in the community, community ties, past conduct, history relating to drug or alcohol abuse, criminal history, and record concerning appearance at court proceedings, and (B) whether the defendant was on probation/parole at the time of the offense; and (4) danger to the community or other persons. Because of this, the United States requests that a detention hearing be held and that the defendant be detained. See generally, *United States v. Sazenski*, 806 F.2d 846, 848 (8th Cir. 1986); *United States v. Warren*, 787 F.2d 1337, 1338 (8th Cir. 1986).

WHEREFORE, based on the foregoing, the United States requests that the Court hold a Detention Hearing in accordance with 18 U.S.C. § 3142(f), and following such hearing, order the detention of the defendants.

Respectfully submitted,

Tammy Dickinson
United States Attorney

By: /s/ **James J. Kelleher**
James J. Kelleher
Assistant United States Attorney
Mo. Bar Number 51921

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was delivered on October 21, 2013, to the CM-ECF system of the United States District Court for the Western District of Missouri for electronic delivery to all counsel of record.

/s/ **James J. Kelleher**
James J. Kelleher
Assistant United States Attorney